ANSWER

TO THE

PETITION

OF

The LORDS and COMMONS in PARLIAMENT Assembled,

Presented to His Majestie at YORK, June 17.

1642.

TOGETHER,

With a Catalogue of the Names of the Lords that subscribed to Levie Horse to assist His Majestie, in defence of his Royall person, the two Houses of *Parliament*, and the *Protestant Religion.*

LONDON,

Printed by *B. A.* for *Robert Wood*, .1642.

To the Kings most Excellent Majestie.

HARVARD COLLEGE LIBRARY
OF F. L. GAY
JUNE 1, 1910

The humble Petition of the Lords and Commons in PARLIAMENT Assembled.

YOur Majesties most humble and faithfull Subjects, the Lords and Commons assembled in Parliament, have lately received a Petition from a great number of the Gentry, Free-holders, and other Inhabitants of the County of [illegible] assembled there by Your Majesties Command the third of June, wherein they declare unto Us, *That having taken a resolution to addresse themselves [illegible] Your Majestie in the humble way of a Petition, for the redresse of those Grievances which they now lie under, they were violently interrupted and affronted therein by the Earle of* Linsey, *the Lord* Savill, *and others, and notwithstanding all the means they could use to present their just desires to Your Majestie, yet they could not prevail with Your Majestie to accept of their Petition*; The Copie whereof they have sent to us, with an humble Desire, *That we would take such course therein as may tend to the Preservation of their Liberties, and the Peace of the Kingdome*; *And that we would addresse our selves to Your Majestie in their behalfe, that by our meanes their desires may finde better acceptation with Your Majestie*; Whereupon, having seriously weighed, and considered the particulars of those their Complaints and Desires, as they are laid down in their Petition, and finding that the Grievances they complain of are the increase of the miseries formerly sustained by that County, (which hath well-nigh for three yeers last past been the Tragicall stage for Armies and War) by reason of Your Majesties distance in Residence, and difference in Counsels from Your great Councell the Parliament, begetting great distempers and distractions thorowout the Kingdom, and especially in that County; The drawing to those Parts great numbers of discontented Persons that may too justly be feared do affect the publike ruine for their own private advantage; The drawing together of many Companies of the Trained Bands and others both of Horse and Foot of that County, and retaining multitudes of Commanders and Cavaliers from other parts; The daily resort of Recusants to Your Majesties Court at *York*; The great preparations of Arms and other warlike provisions, to the great terrour and amazement of Your Majesties peaceable Subjects, and causing a great decay of Trade and Commerce amongst them, All and every of which Particulars are against the Law, which Your Majestie hath made so many and so frequent professions to uphold and maintain, And the Lords and Commons finding on the other side their humble desires to be, That your Majestie would hearken to Your Parliament, and declining all other Counsels whatsoever, unite Your confidence to Your Parliament, and that your Majestie would not divide Your Subjects joint dutie to Your Majestie, the Parliament and Kingdom, nor destroy the Essence of Your great Councell and highest Court, by subjecting the Determinations and Counsels thereof to the Counsels and Opinions of any private persons whatsoever; That Your Majestie having passed an Act, That this Parliament shall not be dissolved, but by Act of Parliament, Your Majesty would not do any thing tending thereunto, by commanding away the Lords and great Officers, whose attendance is necessary thereunto; That Your Majestie having expressed Your confidence in the affections of that County, You would please to dismisse Your extraordinary Guards, and the Cavaliers

and

and others of that quality, who seem to have little sense or affection to the publike good, their language and behaviour speaking nothing but Division and War, and their advantage consisting in that which is most destructive to others. And lastly, that in such Consultations and Propositions as Your Majestie maketh to that Countie, such may not be thrust upon them as men of that Countie, that neither by their fortune or residence are any part of it.

All which their humble and most just desires being according to Law, which your Majestie hath so often declared should be the measure and Rule of your Government and Actions; And we your Majesties most faithfull Subjects the Lords and Commons fully concurring with the Gentlemen and others of the County of *York*, in their Assurance that those desires of theirs will abundantly redound to the glory of God, the honour and safety of your *Majestie*, the good of your Posteritie, and the peace and prosperitie of this Kingdom; we humbly beseech your *Majestie* graciously to hearken unto them, and to grant them; and that you would joyn with your Parliament in a speedy and effectuall course for the preservation of their liberties, and the peace of the Kingdom, which duty as we are now called upon by that Countie to discharge, so do we stand engaged to God and man for the performance thereof by the trust reposed in us, and by our solemn Vow and Protestation; And your *Majestie*, together with us, stands engaged by the like Obligation of trust, and of Oath, besides the many and earnest professions and protestations, which your *Majestie* hath made to this purpose to your whole Kingdom in generall, and to that Countie in particular; the peace and quiet of the Kingdom (as is well observed by the Gentlemen and Free-holders of *Yorkshire* in their *Petition*) being the onely visible means, under God, wherein consists the preservation of the *Protestant Religion*, the Redemption of our Brethren in *Ireland*, and the happinesse and prosperitie of your *Majestie* and all your Dominions.

His MAJESTIES Answer to the Petition of the Lords and and Commons in Parliament assembled, presented to His MAJESTIE at *York*, the 17. of *June*. 1642.

HIs Majesty having carefully weighed the matter of this Petition presented to him at *York* on Friday the 17. of June, by the Lord *Howard*, Sir *Hugh Cholmley*, Sir *Philip Stapleton*; Though He might refer the *Petitioners* to His two last Declarations, wherein most of the particulars in this *Petition* are fully answered; or might refuse to give any Answer at all, till He had received satisfaction in those high Indignities He hath so often complained of, and demanded Justice for; Yet that all the world may see how desirous His *Majestie* is to leave no Act which seems to carry the Reputation of both His Houses of *Parliament*, and in the least degree to reflect upon His *Majesties* Justice and Honour, unanswered; Is graciously pleased to return this Answer:

[illegible] to be presented to both Houses of Parliament [illegible] delivered to him, His Majesty might have [illegible] the number and quality of the Petitioners, which His Majesty hath great reason to beleeve, was not in truth so considerable as is pretended: For his Majesty assures you, That he hath never refused any Petition so attested as that would be thought to be; But His Majesty well remembers, that on the third of June, when there was upon his Majesties summons the greatest, and most cheerefull concourse of people that ever was beheld of one County, appearing before Him at York, a Gentleman (one Sir Thomas Fayrfax) offered in that great Confluence a Petition to His Majesty, which His Majesty seeing to be avowed by no man but himselfe; and the generall and universall Acclamations of the people seeming to disclaime it, did not receive; conceiving it not to be of so Publike a nature, as to be fit to be presented or received in that place: And His Majesty is most confident, (and in that must appeale to those were then present) that what ever the substance of that Petition was, it was not consented to by any considerable number of Gentry, or Freeholders of this County; by a few, meane, inconsiderable persons, and disliked, and visibly discountenanced by the great Body of the knowne Gentry, Clergy, and Inhabitants of this whole County: And if the matter of that Petition was such as is suggested in this, His Majesty hath great reason to beleeve it was framed and contrived (as many others of such nature have beene) in London, not in Yorkshire: For sure no Gentleman of quality and understanding of this County would talke of His great preparations of Armes, and other Warlike Provisions, to the great terrour and amazement of His peaceable Subjects, when they are witnesses of the violent taking His Arms from Him, and stopping all wayes for bringing more to Him; And if there were no greater terror and amazement of His Majesties peaceable Subjects in other places by such Preparations and provisions, there would be no more cause to complaine of a great decay of Trade and Commerce there, then is in this place: But his Majesty hath so great an assurance of the Fidelity and generall affections of his good Subjects of this County, which He hopes will prove exemplar over His whole Kingdome, that He hath great cause to beleeve; That they doe rather complaine of his Majesties Confidence, and of his slownesse, that whilst there is such endeavour abroad to raise Horse, and to provide Armes against his Majesty, and that endeavour put in execution, His Majesty trusts so much to the Justice of his cause, and the affections of his people, and neglects to provide strength to assist that Justice, and to protect those Affections.

For any affronts offered by the Earle of Lindsey, or the Lord Savill, to those who intended to petition his Majesty: His Majesty wishes that both his Houses of Parliament would have examined that information, and the credit of the informers, with that gravity and deliberation, as in Cases which concerne the Innocence and honour of Persons of such quality hath beene accustomed, before they had proscribed two Peeres of the Realme, and exposed them (as much as in them lay) to the rage and fury of the people, under the Character of being Enemies to the Common-wealth, a Brand newly found out (and of no Legall signification) to incense the people by, and with which the simplicity of former times was not acquainted: And then his Majestie hath some reason to beleeve they

would

would have found themselves as much abused in the report concerning these Lords, as he is sure they are in those which tell them of the resort of great numbers and discontented persons to him, and of the other particulars mentioned to to be in that Petition: Whereas they who observe what resort is here to his Majesty, well know it to bee of the prime Gentlemen of all the Counties in England, whom nothing but the love of Religion, the care of the Lawes, and liberties of the Kingdome, besides their affection to his person, could engage into great journeys, trouble and expence, men of as precious Reputation, and as exemplary lives, as this Nation hath any, whose assistance his Majesty knowes he must not expect, if he should have the least Designe against honour and Justice: and such witnesses his majesty desires to have all his actions.

For the declining other Counsells and the Uniting his confidence to his Parliament, his majesty desires both his Houses of parliament seriously and sadly to consider, that it is not the name of a great or little Councel that makes the Results of that Counsell just or unjust: neither can the imputation upon his majesty of not being advised by his Parliament (especially since all their actions and all their Orders are exposed to the publike view) long mislead his good Subjects, except in truth they see some particular sound advice necessary to the peace and hapinesse of the Common-wealth dis-esteemed by his Majesty, and such an influence he is most assured neither can nor shall be given, and that they will thinke it merit in his Majesty from the Common-wealth to reject such a Counsell as would perswade him to make himselfe none of the three Estates, by giving up his negative voyce to allow them a power superior to that which the Law hath given him, whensoever it pleaseth the major part present of both Houses to say that he doth not discharge his trust as he ought, and to subject his and his Subjects unquestionable Right and Propriety to their Votes, without and against Law, upon the meer pretence of necessity. And his Majesty must appeale to all the World, who it is that endeavours to divide the joynt duty of his Subjects, his Majesty who requires nothing but what their owne duty, guided by the infallible Rule of the Law, leads them to doe, or they who by Orders and Votes (opposite and contradictory to Law, Custome, president and reason) so confound the affections and understandings of his good Subjects, that they know not how to behave themselves with honesty and safety, whilest their Conscience will not suffer them to submit to the one, nor their security to apply themselves to the other. It is not the bare saying that his majesties actions are against the Law (with which he is reproached in this Petition, as if hee departed from his often Protestations to that purpose) must conclude him, there being no one such particular in that petition alleadged, of which his majesty is in the least degree guilty: whether the same Reverence and esteeme be paid by you to the Law (except your owne Votes be judge) needs no other Evidence, then those many, very many Orders published in print, both concerning the Church and State, those long imprisonment of severall persons without hearing them, upon generall information, and the great and unlimited Fees to your Officers, worse then the Imprisonment, and the Arbitrary censure upon them when they are admitted to be heard: Let the Law be judge by whom it is violated.

For that part of the Petition which seems to accuse his Majesty of a purpose to dissolve this Parliament (contrary to the Act for the continuance) by com-

mand

ing away the Lords and great officers, whose attendance is necessary, which his Majesty well knows to be a new Calumny, by which the Grand Conspirers of ruine for the State hope to seduce the minds of the people from their affection to, or into jealousie of his Majesty, as if he meant this way to bring this Parliament (which may be the case of all Parliaments) to nothing; it is not possible for his Majesty more to expresse his affection to, and his Resolution for the Freedom, liberty, and frequency of Parliaments, then he hath done; And whosoever considers how visible it must be to his Majesty, that it is impossible for him to subsist without the affections of his people, and that those affections cannot possibly be preserved or made use of but by Parliaments, cannot give the least credit, or have the least suspition, that his Majesty would chuse any other way to the happinesse he desires for himself and his posterity, but by Parliaments: But for his calling the Lords hither, or any others absenting themselves, who have not bin called, who ever considers the tumults, which no votes or Declaration can make to be no tumults, by which His Majesty was driven away, and many Members of either House in danger of their lives, the demanding the names of those Lords who would not consent to their Propositions by Message from the house of Commons delivered at the bar by Mr. Hollis, with that most tumultuous petition in the name of many thousands, among many other of the same kind, directed to the House of Commons, and sent up by them to the House of Lords, taking notice of the prevalence of a malignant faction, which made abortive all their good motions, which tended to the peace and tranquility of the Kingdom, desiring that those noble worthies of the house of Peers; who concurred with them in their happy Votes, might be earnestly desired to joyn with that honourable house, and to sit and vote as one entire body, professing that some speedy remedy were taken for the removal of all such obstructions as hindred the happy progresse of their great endeavours, their Petitioners should not rest in quietnesse, but should bee enforced to lay hold on the next remedy which was at hand to remove the disturbers of their Peace, and want and necessity breaking the bounds of modesty, not to leave any meanes unassayed for their relief, adding that the cry of the poor and needy was, That such persons who were the Obstacles of their peace, and hinderers of the happy Proceedings of Parliament might be forthwith publikely declared, whose removall they conceived would put a period to these distractions: upon which a great number of Lords departing, the Vote in order to the Ordinance concerning the Militia was immediatly past, though it had bin twice before put to the question, and rejected by the Votes of much the major part of that house. And whosoever considers the strange Orders, Votes, and Declarations, which have since passed, to which whosoever would not consent, that is, with Freedom and liberty of language, and reason professe against, was in danger of Censure and Imprisonment, will not blame our care in sending for them, or theirs in comming, or absenting themselves from being involved in such conclusions. Neither will it be any objection, that they stayed there long after any tumults were, and therfore that the tumults drave them not away; If every day produced Orders and Resolutions as illegall as, and indeed but the effects of the tumults, there was no cause to doubt the same power would be ready to prevent any Opposition to those Orders after they were made, which had made way and preparation for the Propositions of them, and so whosoever conceived himself in danger of future Tumults, against

which

which there is not the least provision, was driven away by those which were past. And his Majesty hath more reason to wonder at those who stay behind, after all his Legall Power is voted from him, and all the people told, That he might bee with modesty and duty enough deposed, then any man hath at those who have bin willing to withdraw themselves from the place where such desperate and dangerous positions are avowed: which his Majesty doth not mention with the least thought of lessening the power or validity of an Act, to which he hath given his Assent this Parliament; All and every of which he shall as inviolably observe, as he looks to have his own Rights preserved, but to shew by what means so many strange Orders have of late bin made: And to shew how earnestly his Majesty desires to be present at, and to receive advice from both houses of parliament, against whom it shall be never in the power of a malignant party to incense His Majesty, his majesty again offers his consent, that both houses may be adjourned to another place, which may be thought convenient, where his majesty will bee present: He doubts not but the members of either House will make a full appearance; And when the Intermission which must attend such an Adjournment may not be the least means of recovering that temper, which is necessary for such Debates.

And this his Majesty conceives to be so very necessary, that if the minds and inclinations of every member of either House were equally composed, the Licence is so great, that the mean people about *London* and the Suburbs have taken, that both for the Liberty and Dignity of Parliament that Convention for a time should be in another place. And sure how much soever the safety and security of this Kingdome depends on *Parliaments*, it will never be thought that those *Parliaments* must of Necessity be at *Westminster*.

His *Majesties* confidence is no lesse then he hath expressed (and hath great cause to expresse) in the affections of this County, an instance of which affections all men know his guard (which is not extraordinary) to be, and wonders that such a legall Guard at his own charge, for his person, within 20. miles of a Rebellion, and of an Army in pay against him, should be objected by those, who for so many months, and in a place of known and confessed security, have without and against Law kept a Guard for themselves at the charge of the *Common-wealth*, and upon that stock of money which was given for the Relief of the miserable and bleeding condition of *Ireland*, or the payment of the great debt due to our Kingdom of *Scotland*.

For the resort of *Papists* to the Court, his *Majesties* great care for the prevention therof is notoriously known, that when he was informed 2. or 3. of his intended Guard were of that Religion he gave especiall direction, with expressions of His displeasure, that they should be immediatly discharged, and provided that no person should attend on him under that Relation, but such as took the *Oaths of Allegeance*, and *Supremacie*, that he commanded the Sheriffe to proceed with all severity according to the Law against all papists that should come within five miles of the Court, and if notwithstanding this, there be any papists neer the Court, (which his *Majesty* assures you he knows not, nor hath heard but by this Petition) He doth hereby command them to depart, and declares to all Officers and *Ministers* of Justice, that they shall proceed strictly against them according to the Law, and as they will answer the contrary at their perils.

For the language and behaviour of the *Cavaleers* (a word by what mistake soever it

is seemeth much in disfavour, [illegible] hath not [illegible] the least complaint here, and therefore it is probable the fault was not found in this County. Neither can his Majesty imagine what is meant by the mention of any men thrust upon them in such Consultations and propositions, as his Majesty makes to this County, who are neither by their Fortune or Residence any part of it, and therfore can make no answer to it.

To conclude, his Majesty assures you he hath never refused to receive any Petition, whether you have or no, your selves best know, and will consider what Reputation it will be to you of Justice or Ingenuity to receive all Petitions how senflesse and scandalous soever of one kind, under pretence of understanding the good peoples minds and affections, and not only refuse the Petition, but punish the Petitioners of another kind, under colour that it is not a crime that they are not satisfied with your sense, as if you were only trusted by the people of one opinion: To take all pains to publish and print Petitions which agree with your wishes, though they were never presented, and to use the same industry and Authority to keep those that indeed were presented and avowed from being published (though by our own authority) because the Argument is not pleasant to you. To pretend impartiality and infallibility, and to expresse the greatest passion and affection in the Order of your proceeding, and no lesse error and misunderstanding in your Judgments and Resolutions, He doth remember well the Obligation of his Trust, and of his Oath, and desires that you will do so too, and your own solemn Vow and protestation, and then you will not only think it convenient, but necessary to give his Majesty a full Reparation for all the scandals laid upon him, and all the scandalous positions made against him, and that it is lesse dishonour to retract errors, then by avowing to confesse the malice of them, and will see this to be the surest way for the preservation of the Protestant Religion, the Redemption of our Brethren in Ireland, the happinesse and prosperity of your selves and of all our Dominions, and of the Dignity and Freedome of Parliament.

A Catalogue of the Names of the Lords that subscribed to levie Horse, to assist His Majesty in the defence of, &c.

The Prince	200	*E. of Cambridge*	60	*L. Rich*	30
The Duke of York	120	*E. of Bristol*	60	*L. Paulet*	40
Lord Keeper	40	*E. of Westmerland*	20	*L. Newarke*	30
Duke of Richmond.	100	*E. of Barkshire and L. Andover.*	30	*L. Montague*	30
L. Marquesse Hartford	60	*E. of Monmouth*	30	*L. Coventry*	100
L. Great Chamberlaine	30	*E. Rivers*	30	*L. Savill*	50
E. of Cumberland	50	*E. of Carnarvan*	20	*L. Mohun*	20
E. of Huntington	20	*E. of Newport*	50	*L. Dunsmore*	40
E. of Bath	50	*L. Mowbray*	50	*L. Seymor*	20
E. of Southampton	60	*L. Willoughby*	30	*L. Capell*	100
E. of Dorset	60	*L. Gray of Ruthin*	10	*L. Faulkland*	20
E. of Northampton	40	*L. Lovelace*	40	*Mr. Comptroller*	20
E. of Devonshire	60	*L. Paget*	30	*M. Secret. Nicholas*	20
E. of Dover	25	*L. Faulconbridge to come.*		*L. Ch. Iustice Banks*	20

The L. Thanet is not here, but one hath undertaken for 100. for him. Sum. totall, 1659.